UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/428,384	10/28/1999	STEPHEN WILLARD DICKSON	15311-2207	4583

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IP Administration Legal Dept.
Hewlett-Packard Co. M/S 35
P.O. Box 272400
Fort Collins, CO   80527-2400

EXAMINER
LY, ANH

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| Office Action Summary | Application No. 09/428,384 | Applicant(s) DICKSON, STEPHEN WILLARD |
| | Examiner Anh Ly | Art Unit 2172 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*07 January 2004*</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4)☐ Interview Summary (PTO-413) Paper No(s). _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 01/07/2004 have been fully considered but they are

not persuasive.

Applicant argued that, "a second process that generates a first message

requesting that said second process be granted by first process a plurality of tokens

required for said second process to modify at least one characteristic of said file." (Page

6, lines 18-21 and Page 7, lines 15-18).

Baylor et al. (hereinafter Baylor) of 5,742,812 teaches achieving atomic

multicasting in a computer having a plurality of system nodes, sending a first message

from a first node to a first plurality of nodes that will receive the multicast message,

generating a token and delivering the message to the application and passing the token

to a next system node (col. 2, lines 50-64 and col. 5, lines 16-47). Also the token queue

and request queue store a plurality of tokens and requests. These token are received

and processed. The transmission of tokens is kept or recorded via the token counter

(col. 5, lines 30-47 and col. 6, lines 1-38). Thus, It is clearly that Baylor teaches the

generation of token by on the requesting from computer node, as well as the

transmission of token to the computer are received and processed by on the message

requesting from the computer node in the layer of the computer system. Also Loucks et

al. of 5,634,122 does (see abstract, fig. 8A and fig. 8B, col. 10, lines 1-53).

2.   Claims 1-37 are pending in this application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-37 rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 5,742,812 issued to Baylor et al. (hereafter Baylor) in view of US Patent No.

5,634,122 issued to Loucks et al. (hereafter Loucks).

With respect to claim 1, Baylor discloses a first process, and a second process

that generates a first message requesting that said second process; said first process

generating a second message, in response to said first message, that grants said

tokens to said first process if said tokens are available for grant to said second process

(first process and second process: server node and client node in the client/server

architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium;

granted a plurality of tokens to modify at least one characteristic of said file; that grants

said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines 45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Baylor with the teachings of Loucks so as to have a client server structure network for granting a plurality of tokens to modify the data file. This combination would provide a means for granting authorization tokens allowing an operation to be performed on a distributed file system (Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the client/server architecture distributed database environment.

With respect to claim 2, Baylor discloses said first process is resident at a server computer node, and said second process is resident at a client computer node (see fig. 1 and fig. 4, col. 1, lines 48-67, col. 2, lines 1-5, col. 3, lines 32-52 and col. 4, lines 42-62).

With respect to claim 3, Baylor discloses if any of said tokens are unavailable for grant to said second process as a result of current grant of said tokens to at least one other process, said first process generates a third message revoking the current grant of said tokens to said at least one other process (abstract, col. 5, lines 16-46 and lines 66-67 and col. 6, lines 1-67).

With respect to claim 4, Baylor discloses said at least one other process, in response to said third message, generates a fourth message making said tokens available for grant by said first process (abstract, col. 5, lines 16-46 and lines 66-67 and col. 6, lines 1-67).

With respect to claim 5, Baylor discloses said first process resides in a first computer node; said second process resides in a second computer node; said at least one other process resides in at least one other computer node; and said first computer, second computer, and at least one other computer nodes are networked together and are remote from each other (col. 1, lines 49-67, col. 2, lines 1-62, col. 3, lines 10-65, col. 4, lines 3-67, col. 5, lines 1-67, col. 6, lines 1-9 and 46-60, col. 7, lines 1-16 and lines 30-67, see figs: 1,, 2a, 2b, 3 and 4 for server node, client node network file system, set of tokens and messages).

With respect to claim 6, Baylor discloses a first process residing in said node that generates a first message to a second process (first process and second process: server node and client node in the client/server architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium; granted a plurality of tokens to modify at least one characteristic of said file; that grants said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines

45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Baylor with the teachings of Loucks so as to have a client server structure network for granting a plurality of tokens to modify the data file. This combination would provide a means for granting authorization tokens allowing an operation to be performed on a distributed file system (Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the client/server architecture distributed database environment.

With respect to claims 7-10, Baylor discloses each of the processes resides in a respective one of computer nodes; one of the processes resides in a server computer node and the other of the processes resides in a client computer node; if at least one token in the set of tokens is unavailable for grant because the at least one token is currently granted to a third process, the first process also generates a second message that revokes current grant of the at least one token to the third process prior to generating the first message the first message is generated by the first process in response to a request for the grant of the set of tokens generated by the second process, the request specifying all tokens required for the second process to be able to modify the at least one characteristic of the file (col. 1, lines 49-67, col. 2, lines 1-62, col. 3, lines 10-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-9 and 46-60, col. 7,

lines 1-16 and lines 30-67, col. 8, lines 38-67 and col. 9, lines 1-58, see figs: 1 and 4,

server node, client node network file system, set of tokens and messages).

With respect to claim 11, Baylor discloses a first process residing in said node

that generates a request to a second process (first process and second process: server

node and client node in the client/server architecture network: see fig. 1, col. 3, lines 32-

42; also see figs: 2a, 2b and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium;

granted a plurality of tokens to modify at least one characteristic of said file; that grants

said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache

manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines

45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of

token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Baylor with the teachings

of Loucks so as to have a client server structure network for granting a plurality of

tokens to modify the data file. This combination would provide a means for granting

authorization tokens allowing an operation to be performed on a distributed file system

(Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting

being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the

client/server architecture distributed database environment.

With respect to claims 12-13, Baylor discloses the second process resides in a second computer node, and the memory is comprised in said second node; and the set of tokens comprises all tokens required for the first process to be able to modify the at least one characteristic of the file (col. 3, lines 20-67 and col. 4, lines 1-62, col. 8, lines 38-67 and col. 9, lines 1-58).

With respect to claim 14, Baylor discloses a first computer node having a data file in computer-readable memory; and a second computer node that issues to the first computer node a first message requesting (first process and second process: server node and client node in the client/server architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium; granted a plurality of tokens to modify at least one characteristic of said file; that grants said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines 45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Baylor with the teachings of Loucks so as to have a client server structure network for granting a plurality of tokens to modify the data file. This combination would provide a means for granting authorization tokens allowing an operation to be performed on a distributed file system

(Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the client/server architecture distributed database environment.

With respect to claim 15, Baylor discloses the first computer node is a server node, and the second computer node is a non-server node (see fig. 1 and fig. 4, col. 1, lines 48-67, col. 2, lines 1-5, col. 3, lines 32-52 and col. 4, lines 42-62).

With respect to claim 16, Baylor discloses the set of tokens comprises all tokens required to carryout the modification of the at least one characteristic of the file (col. 8, lines 38-67 and col. 9, lines 1-58).

With respect to claims 17-18, Baylor discloses if at least one token in the set of tokens is unavailable for the grant because the at least one token is currently granted, the first computer node waits to issue the first message until after the first computer node receives a third message from a third computer node indicating relinquishment of current grant of the at least one token; the at least one token comprises a plurality of tokens (abstract, col. 2, lines 50-64, col. 4, lines 62-67 and col. 5, lines 1-65; col. 8, lines 38-67 and col. 9, lines 1-58).

Claim 19 is essentially the same as claim 1 except that it is directed to a computer-readable memory containing computer-executable program instructions rather than a computerized data file system ('812 of first process and second process: server node and client node in the client/server architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b and 3; and '122 of cache manager: col. 7, lines 55-60; also see fig. 5; abstract and col. 3, lines 45-52; col. 6, lines 30-35; col. 7, lines 7-12); and

modifying the data file (col. 1, lines 35-48), and is rejected for the same reason as

applied to the claim 1 hereinabove.

Claim 20 is essentially the same as claim 6 except that it is directed to a

computer-readable memory containing computer-executable program instructions rather

than a computerized data file system ('812 of see fig. 1, col. 3, lines 32-42; also see

figs: 2a, 2b and 3; and '122 of cache manager: col. 7, lines 55-60; also see fig. 5;

abstract and col. 3, lines 45-52; col. 6, lines 30-35; col. 7, lines 7-12), and is rejected for

the same reason as applied to the claim 6 hereinabove.

With respect to claim 21, Baylor discloses first instructions that when executed

generate a request (server node and client node in the client/server architecture

network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium;

granted a plurality of tokens to modify at least one characteristic of said file; that grants

said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache

manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines

45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of

token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Baylor with the teachings

of Loucks so as to have a client server structure network for granting a plurality of

tokens to modify the data file. This combination would provide a means for granting

authorization tokens allowing an operation to be performed on a distributed file system (Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the client/server architecture distributed database environment.

With respect to claims 22-23, Baylor discloses further instructions which when executed causes, if any of said tokens are unavailable for grant as a result of current grant of said tokens, generation of a third message revoking the current grant of said tokens; and said further instruction, in response to said third message, generate a fourth message making said tokens available for grant (abstract, col. 5, lines 16-46 and lines 66-67 and col. 6, lines 1-67).

With respect to claims 24-25, Baylor discloses further instructions which when executed cause, if at least one token in the set of tokens is unavailable for grant because the at least one token is currently granted, generation of a second message that revokes previous grant of the at least one token prior to generating the first message; and the first message is generated in response to a request for the grant of the set of tokens generated, the request specifying all tokens required to be able to modify the at least one characteristic of the file (col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-9 and 46-60, col. 7, lines 1-16 and lines 30-67, col. 8, lines 38-67 and col. 9, lines 1-58).

With respect to claim 26, Baylor discloses the set of tokens comprises all tokens required to be able to modify the at least one characteristic of the file (col. 1, lines 48-67, col. 2, lines 1-5 and col. 3, lines 10-53).

With respect to claim 27, Baylor discloses means for generating a first message

requesting (first process and second process: server node and client node in the

client/server architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b

and 3).

Baylor does not explicitly indicate, "data file in computer-readable medium;

granted a plurality of tokens to modify at least one characteristic of said file; that grants

said tokens if said tokens are available for grant."

However, Loucks discloses a data file in computer-readable memory (cache

manager: col. 7, lines 55-60; also see fig. 5); grating tokens (abstract and col. 3, lines

45-52); grating an available token (col. 6, lines 30-35); a plurality of tokens or set of

token for grating (col. 7, lines 7-12); and modifying the data file (col. 1, lines 35-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Baylor with the teachings

of Loucks so as to have a client server structure network for granting a plurality of

tokens to modify the data file. This combination would provide a means for granting

authorization tokens allowing an operation to be performed on a distributed file system

(Loucks – col. 3, lines 45-50 and lines 58-62). Also it would have a means for granting

being responsive to the means for managing (Loucks – col. 3, lines 48-52) in the

client/server architecture distributed database environment.

With respect to claims 28-29, Baylor discloses means for generating, if any of

said tokens are unavailable for grant as a result of current grant of said tokens, a third

message revoking the current grant of said tokens; and means for generating, in

response to said third message, a fourth message making said tokens available for

grant (col. 1, lines 49-67, col. 2, lines 1-62, col. 3, lines 10-65, col. 4, lines 3-67, col. 5,

lines 1-67, col. 6, lines 1-9 and 46-60, col. 7, lines 1-16 and lines 30-67).

Claim 30 is essentially the same as claim 1 except that it is directed to a method

rather than a computerized data file system ('812 of first process and second process:

server node and client node in the client/server architecture network: see fig. 1, col. 3,

lines 32-42; also see figs: 2a, 2b and 3; and '122 of cache manager: col. 7, lines 55-60;

also see fig. 5; abstract and col. 3, lines 45-52; col. 6, lines 30-35; col. 7, lines 7-12),

and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 31 is essentially the same as claim 3 except that it is directed to a method

rather than a computerized data file system (abstract, col. 5, lines 16-46 and lines 66-67

and col. 6, lines 1-67), and is rejected for the same reason as applied to the claim 3

hereinabove.

Claim 32 is essentially the same as claim 4 except that it is directed to a method

rather than a computerized data file system (abstract, col. 5, lines 16-46 and lines 66-67

and col. 6, lines 1-67), and is rejected for the same reason as applied to the claim 4

hereinabove.

Claim 33 is essentially the same as claim 6 except that it is directed to a method

rather than a computerized data file system ('812 of server node and client node in the

client/server architecture network: see fig. 1, col. 3, lines 32-42; also see figs: 2a, 2b

and 3; and '122 of cache manager: col. 7, lines 55-60; also see fig. 5; abstract and col.

3, lines 45-52; col. 6, lines 30-35; col. 7, lines 7-12), and is rejected for the same reason

as applied to the claim 6 hereinabove.

Claim 34 is essentially the same as claim 9 except that it is directed to a method

rather than a computerized data file system (col. 1, lines 49-67, col. 2, lines 1-62, col. 3,

lines 10-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-9 and 46-60, col. 7, lines

1-16 and lines 30-67, col. 8, lines 38-67 and col. 9, lines 1-58, see figs: 1 and 4, server

node, client node network file system, set of tokens and messages), and is rejected for

the same reason as applied to the claim 9 hereinabove.

Claim 35 is essentially the same as claim 10 except that it is directed to a method

rather than a computerized data file system (col. 1, lines 49-67, col. 2, lines 1-62, col. 3,

lines 10-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-9 and 46-60, col. 7, lines

1-16 and lines 30-67, col. 8, lines 38-67 and col. 9, lines 1-58, see figs: 1 and 4, server

node, client node network file system, set of tokens and messages), and is rejected for

the same reason as applied to the claim 10 hereinabove.

Claim 36 is essentially the same as claim 11 except that it is directed to a method

rather than a computerized data file system ('812 of see fig. 1, col. 3, lines 32-42; also

see figs: 2a, 2b and 3; and '122 of cache manager: col. 7, lines 55-60; also see fig. 5;

abstract and col. 3, lines 45-52; col. 6, lines 30-35; col. 7, lines 7-12), and is rejected for

the same reason as applied to the claim 11 hereinabove.

Claim 37 is essentially the same as claim 13 except that it is directed to a method

rather than a computerized data file system (col. 3, lines 20-67 and col. 4, lines 1-62,

col. 8, lines 38-67 and col. 9, lines 1-58), and is rejected for the same reason as applied

to the claim 13 hereinabove.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

6.   Any inquiry concerning this communication should be directed to Anh Ly whose

telephone number is (703) 306-4527 or via E-Mail: **ANH.LY@USPTO.GOV**. The

examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's

supervisor, John Breene, can be reached on (703) 305-9790.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

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JAN. 30th, 2004

JEAN M. CORRIELUS
PRIMARY EXAMINER